

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ME2 PRODUCTIONS, INC.,		Case No. 2:16-CV-2660 JCM (NJK)
	Plaintiff(s),	ORDER
v.		
JAVIER GODINEZ, et al.,		
	Defendant(s).	

Presently before the court is Magistrate Judge Koppe's report and recommendation following an order to show cause as to why the defendants should not be severed and all but the first-named defendant dismissed. (ECF No. 34). Plaintiff ME2 Productions, Inc., filed an objection. (ECF No. 39). Defendants have not filed a response, and the time to do so has since passed.

Also before the court is plaintiff's motion for entry of clerk's default. (ECF No. 37).

The present case is one of many filed by plaintiff against numerous Doe defendants. Exhibit 1 to ME2's objection contains its memorandum and points of authority to support its objections to the instant report and recommendation. (ECF No. 39-1). The exhibit is a carbon copy of plaintiff's objections in the case of *ME2 Productions, Inc. v. Bayu*, case no. 2:17-cv-00724-JCM-NJK. The court issued an order in *Bayu* that adopted Magistrate Judge Koppe's report and recommendation in that case and severed all but the first-named defendant. For the same reasons, the court finds severance here is appropriate. The remaining first-named defendant who will not be dismissed is Javier Godinez.

1 Plaintiff's motion for entry of clerk's default seeks default against several defendants
2 including Javier Godinez. (ECF No. 37). The motion is denied in part as moot with regard to all
3 defendants except Javier Godinez. The motion will be granted against Javier Godinez.

4 Plaintiff filed the operative amended complaint in this matter on March 2, 2017. (ECF No.
5 8). Summons issued as to Javier Godinez on March 31, 2017. (ECF No. 10). Godinez was served
6 summons on May 15, 2017 and the sums returned executed on June 6, 2017. (ECF No. 32). The
7 deadline for Godinez to file an answer to the complaint was June 5, 2017.

8 This deadline came and passed and Godinez failed to file an answer. To date, Godinez has
9 not answered the complaint or otherwise appeared in this action. Accordingly, pursuant to Federal
10 Rule of Civil Procedure 55(a), the clerk will enter default against defendant Godinez.

11 Accordingly,

12 IT IS HEREBY ORDERED that Magistrate Judge Koppe's report and recommendation
13 (ECF No. 34) be, and the same hereby is, ADOPTED in part and REJECTED in part, consistent
14 with the foregoing.

15 IT IS FURTHER ORDERED that all defendants except for Javier Godinez be, and the
16 same hereby are, dismissed without prejudice.

17 IT IS FURTHER ORDERED that plaintiff's motion for entry of clerk's default (ECF No.
18 37) be, and the same hereby is GRANTED in part and DENIED in part as follows: the court will
19 enter default against only defendant Javier Godinez, but not any other defendant.

20 DATED November 7, 2017.

21 
22 UNITED STATES DISTRICT JUDGE